IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
**THE HON'BLE MR JUSTICE V.V.S.RAO**
**WRIT PETITION NO : 719 of 2002**

Between:

1. S.Venkateshwar Babu S/o.Late S.V.Krishnaiah
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
2. B.T.Raja Mohan Reddy S/o. late Ramachandra Reddy
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
3. C.Narasimham S/o. late Guruvaiah
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
4. Poli Narayana Reddy S/o.venkat Reddy
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
5. C.Subba Rayudu S/o.Guruvaiah
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
6. C.Subba Rayudu S/o. Guruvaiah
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
7. B.T.Narasimha Reddy S/o. Late Papaiah
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
8. L.Eshwaraiah S/o.Late Papaiah
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
9. L.Suraiah S/o. Ramaiah
   Madangopalapuam Village Rajampet Mandal
   Cuddapah Dist
10. Shaik Anwar Basha S/o. Valli Saheb
    Madangopalapuam Village Rajampet Mandal
    Cuddapah Dist
11. Khasim Saheb S/o.Valli Saheb
    Madangopalapuam Village Rajampet Mandal
    Cuddapah Dist
12. D.Sudhakar S/o. Veeraiah
    Madangopalapuam Village Rajampet Mandal
    Cuddapah Dist
13. S.Subba Narasaiah S/o.Late Subbaiah
    Madangopalapuam Village Rajampet Mandal
    Cuddapah Dist

14 V.Shanker Redxdy S/o. Seshi Reddy
Madangopalapuam Village Rajampet Mandal
Cuddapah Dist

15 S.Praveen Kumar S/o Late Ram Prasad
Madangopalapuam Village Rajampet Mandal
Cuddapah Dist
16 Shaik Papani Saheb S/o. Khader Saheb
Madangopalapuam Village Rajampet Mandal
Cuddapah Dist
17 S/Panth S/o. late S.V.Krishnaiah
Madangopalapuam Village Rajampet Mandal
Cuddapah Dist
18 S.Seshidhar Babu S/o.S.V.Krishnaiah
Madangopalapuam Village Rajampet Mandal
Cuddapah Dist

**..... PETITIONERS**

AND

1 The District Collector (Panchayats)
Cuddapha, Cuddapha District
2 The Joint Collector
Cuddapha, Cuddapha District
3 The District Panchayats Officer,
Zilla Parishad, Cuddapha District
4 The Mandal Revenue Officer
Rajampet Mandal, Cuddpah dist.
5 The Revenue Divisional Officer,
Rajampet Mandal, Cuddpah dist.
6 The Executive Officer, Grampanchayat
Rajampet Mandal, Cuddpah dist.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, writ or direction more particularly in the nature of writ of mandamus declaring the action of the 1st Respondents in issuing the tender notification dated 31-12-2001 (Panchayat) auction to be scheduled on 17-1-2002 (Item No.2) of Madanagopalapuram Village, Rajampet Mandal, Cuddapah District, as illegal and contrary to the public policy and an offence under Art. 21 of the Constitution of India.

**Counsel for the Petitioners: MR.G.V.RAGHAVA REDDY**

**Counsel for the Respondent Nos.1 to 6: GP FOR PANCHAYAT RAJ & RURAL DEV.**

**The Court made the following :**

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.719 OF 2002

ORDER:

The Chairman of the District Level Committee, Kadapa, issued a short tender-cum-auction notice dt.31.12.2001 inviting participation in the tender-cum-auction for leasing out right to collect seignorage fee from the contractors transporting sand from different places including Madanagopalapuram Village, in Rajampet Mandal, Kadapa District. Eighteen residents of the village challenged the said auction as illegal and arbitrary. As per the short tender notice the lease itself is for a period of one year.

This Court while admitting the Writ Petition stayed all further proceedings insofar as Madanagopalapuram Village is concerned. Be that as it is, by tender notification dt.31.12.2001, right to quarry seignorage fee is to be given for a period of one year. Therefore, nothing survives in the Writ Petition.

The Writ Petition is accordingly dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

8.9.2004

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To

1 The District Collector (Panchayats)
Kadapa, Kadapa District

2 The Joint Collector
Kadapa, Kadapa District

3 The District Panchayats Officer,
Zilla Parishad, Kadapa District

4 The Mandal Revenue Officer
Rajampet Mandal, Kadapa Dist.

5 The Revenue Divisional Officer,
Rajampet Mandal, Kadapa Dist.

6 The Executive Officer, Grampanchayat
Rajampet Mandal, Kadapa Dist.

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